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-EST. 1985-

Section 34 Further Consultation
Legal Services Regulatory Authority
P.O. Box 12906
Dublin 2

BY EMAIL: S34Consultation@lsra.ie

29th July 2019

Re: Submission to the Legal Services Regulatory Authority on the Education and Training of Legal Practitioners

Michael J Staines & Company Solicitors are of the view that a solicitor's professional legal education cannot be considered to be complete in the absence of a basic knowledge and understanding of criminal law, practice and procedure.

In our experience, the ever-changing landscape of white collar, corporate crime and regulatory prosecutions has widened the application of criminal law. Indeed our practice has in recent years moved well beyond traditional areas of criminal law and we now represent corporate entities and individuals in the fields of health and safety offences, revenue offences, data protection offences, white collar crime, environmental offences, money laundering and many others.

Having practiced in this area, we are of the view that no practitioner should consider advising a client in these areas in the absence of the foundational legal training in the core area of criminal law.

We as lawyers have been given the obligation and privilege of ensuring the protection and operation of the Rule of Law. We cannot overestimate the importance of this concept in protecting the rights and freedoms we enjoy in this jurisdiction. It is a fragile structure and continuously under attack. Solicitors in general and criminal lawyers in particular have been at the forefront of defending the Rule of Law. Knowledge of the complex and intricate aspects of criminal law and procedure is essential to allow us do this.

While knowledge of criminal law is required as part of the Final Examination to the Law Society, the proper and effective administration of justice requires that all practitioners have a core understanding in all aspects of civil and criminal law as they operate in practice. It is noteworthy that the office concerned with prosecution of offences is ad idem with defence lawyers on this point. We note the submission of the Director of Public Prosecutions to the Legal Services Regulatory Authority in relation to the education and training of legal practitioners in Ireland. We do not propose repeating their submission but we commend and adopt it.

MICHAEL STAINES & COMPANY
29th July 2019

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